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LEANN H KILTS, WEBER CTY. RECORDER
28-SEP-23 114 PM FEE \$0.00 THU
REC FOR: WEBER COUNTY PLANNING

WEBER COUNTY
ORDINANCE NUMBER 2023- 29

WATER-WISE LANDSCAPING

AN ORDINANCE AMENDING THE COMMERCIAL, INDUSTRIAL, MULTIFAMILY, AND INSTITUTIONAL PROJECT DEVELOPMENT STANDARDS TO RESTRICT THE AMOUNT OF IRRIGATED TURF GRASS THAT CAN BE INSTALLED IN PARKSTRIPS AND YARD AREAS IN THE WESTERN WEBER PLANNING AREA.

WHEREAS, the Board of Weber County Commissioners has heretofore adopted land use regulations governing uses of land in unincorporated Weber County; and

WHEREAS, these land use regulations include provisions that allow irrigated turf grass to be planted in park strips and other yard areas; and

WHEREAS, the Board of Weber County Commissioners wishes to restrict the amount of irrigated turf grass that can be planted in park strips and other yard areas in all new development projects in the Western Weber Planning area; and

WHEREAS, the amendments proposed herein align with the 2022 Western Weber General Plan, which emphasizes the policy goal of adopting water-wise landscaping regulations; and

WHEREAS, the Board of Weber County Commissioners has received a positive recommendation from the Western Weber Planning Commission, after holding a public hearing, in their July 11, 2023 regular meeting, for the amendments proposed herein;

NOW THEREFORE, be it ordained by the Board of County Commissioners of Weber County, in the State of Utah, as follows:

SECTION 1: AMENDMENT. The Weber County Code is hereby *amended* as provided in **Exhibit A**.

PASSED AND ADOPTED BY THE BOARD OF WEBER COUNTY COMMISSIONERS
ON THIS 26th DAY OF September, 2023.

Gage Froerer:	AYE <input checked="" type="checkbox"/>	NAY <input type="checkbox"/>	ABSENT <input type="checkbox"/>	ABSTAIN <input type="checkbox"/>
Jim "H" Harvey:	AYE <input checked="" type="checkbox"/>	NAY <input type="checkbox"/>	ABSENT <input type="checkbox"/>	ABSTAIN <input type="checkbox"/>
Sharon Bolos:	AYE <input checked="" type="checkbox"/>	NAY <input type="checkbox"/>	ABSENT <input type="checkbox"/>	ABSTAIN <input type="checkbox"/>

Presiding Officer

Attest


Gage Froerer, Chair


Ricky D. Hatch, Clerk



EXHIBIT A

Sec 108-1-4 Considerations In Review Of Applications

....

(c) *Considerations relating to landscaping.*

(3) A minimum landscape space of ten percent of the project area shall be provided with consideration of drought resistant and water conserving landscape materials, or as required in Chapter 108-2.

(7) ***Landscape standards.*** Plant sizes at the time of installations shall be as follows:

....

f. Turf grass, if used, shall be limited to no more than 50 percent of the landscaping requirement. If the project is located in the Western Weber Planning Area, see Sec. 108-7-12 for the maximum area that may be irrigated turf grass.

~~i. Water conserving landscaping methods and materials are recommended and encouraged.~~

Sec 108-2-5 Minimum Standards And Guidelines; General Landscaping

(a) *Minimum landscaped area.* Sites shall have a minimum of 20 percent of the total lot area landscaped and, if the site is in the Ogden Valley, a minimum of 80 percent of the landscaping shall be living plant materials. ~~In Western Weber County, the land use authority may reduce the living plant material to 40 percent if all landscaped area is xeriscaped with drought tolerant plants and, if necessary for the plants to survive, is sufficiently watered with a drip system.~~

(b) *Maximum turf grass area.* A maximum of 50 percent of the total landscaped area shall be planted in turf grass. If the site is in the Western Weber Planning Area, See Sec. 108-7-12 for the maximum area that may be irrigated turf grass.

(f) *Parkstrips.* All parkstrips shall be landscaped in a manner that complies with the following:

(1) All parkstrips shall be landscaped with ~~with~~ angular rock no less than two inches in size. The parkstrip may be interspersed with drought tolerant shrubs, ornamental grasses, or flowering plants.

(2) All plantings shall be maintained by the landowner in compliance with Section 108-7-7.030 Clear View of Intersecting Streets.

(3) In subdivisions where trees are required to be installed within parkstrips, the landowner is required to install a drip system with drip emitters rated at 5 gallons per hour or less. ~~a native grass mixture that is low growing. Automatic watering of parkstrip landscaping shall also be required. Parkstrip landscaping shall not be included in the total area and turf grass percentage requirements listed in subsections (a) and (c) of this section.~~

(i) Plant material. Plant material shall be as follows:

(1) **Quality.** Initial plantings used in conformance with the provisions of this chapter shall be in good health and capable of flourishing.

(2) **Size.** Plant sizes at the time of installation shall be as follows:

....

e. Groundcover. Groundcover may be used ~~in place of turf grass~~ to meet landscaping area requirements provided it is planted densely enough that it will grow into reasonably full and even coverage within two growing seasons after planting.

f. Turf grass. Turf grass species shall be hardy to the site and be of the type normally specified for the area. ~~A drought-tolerant fescue seed blend is strongly encouraged.~~ Turf may be planted by sodding, plugging, sprigging or seeding. Application rates for plugs, sprigs and seed shall be high enough to provide even and uniform coverage of turf within one growing season after planting.

....

(3) **Selection.** Plants used in conformance with the provisions of this chapter shall be hardy and capable of withstanding the extremes of the climate of the site. ~~The use of drought-tolerant and native plants is strongly encouraged where site conditions can support them.~~

....

Sec 108-2-6 Minimum Standards—Off-Street Parking

(a) Landscaping between parking and street. A continuous landscape area shall be provided between the edge of an off-street parking area or other vehicular use area and an adjacent street right-of-way. The minimum landscaping shall consist of the following:

....

(2) Shrubs and groundcover. In addition to trees, the landscape area shall be planted with low shrubs, ~~or groundcovers, or turf grass, provided the turf grass does not exceed the requirement of Section 108-2-5(c).~~ The total combined height of earthen berms and plant materials, excluding trees, shall not be less than 18 inches and not more than 48 inches. ~~Planting schemes which minimize turf use, and promote xeriscape or water-conserving principles are strongly encouraged.~~

108-7-12 Water-wise Landscaping

(a) The following water-wise landscaping standards apply to all new development in the Western Weber Planning Area:

1. In single-family residential developments, no more than 35 percent of the front and side yard of a lot or parcel or no more than 3,000 square feet of the entire lot or parcel, may be irrigated turf grass, whichever is greater; and
2. In commercial, industrial, institutional, and multi-family developments, no more than 15 percent of the total landscaped area may be irrigated turf grass. This provision shall not apply to active recreational areas that meet the design and landscape standards of Weber Basin Water Conservancy District; and
3. Irrigated turf grass in a parkstrip and any other yard area with a width of less than eight feet is prohibited.

(b) After the effect of this chapter, which is _____, 2023 all landscaping that does not comply with the requirements of this chapter shall be considered nonconforming landscaping. All nonconforming landscaping shall be phased out in accordance with the following schedule:

1. Landscaping replacement. The replacement of any nonconforming landscaping shall comply with the requirements of this chapter;
2. Site improvements. When a site improvement, including the expansion of a building, which requires a land use permit, conditional use permit, or design review approval, modifies an area that exceeds the threshold established in this subsection, whether by a single modification project or by an accumulation of separate modification projects, all nonconforming landscaping on the premises shall be brought into compliance with the requirements of this chapter. The established threshold of modification shall be the smaller of the following:
 - a. Twenty-five percent of the site area; or
 - b. Twenty thousand square feet.